

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

HAYASHI et al.

Atty. Ref.: 1417-440; Confirmation No. 6942

Appl. No. 10/650,036

TC/A.U. 1714

Filed: August 28, 2003

Examiner: Cain

For: COLOUR AGENT FOR ROAD MARKING MATERIAL AND ROAD MARKING
MATERIAL USING THE SAME

* * * * *

April 30, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST TO ACKNOWLEDGE RECEIPT OF PRIORITY DOCUMENT

The Official Action of October 4, 2006 in the Office Action Summary item 12(c) first acknowledges applicants' claim for benefit of priority but states that "none" of the priority documents have been received. In fact, a certified copy of the priority document was submitted to the U.S. PTO on January 5, 2004. As proof of this I attach a true and correct copy of the postcard receipt dated January 5, 2004 so indicating a certified copy was attached as well as a copy of the transmittal letter of that date as well as copies of the first two pages of the priority document itself.

Reviewing the electronic file of this application I notice a submission dated January 5, 2005 (mis)described as a "Foreign Reference/Prior Art" comprising 71 pages. This is, in fact, a certified copy of the priority document. I have printed the first 2 pages of that document and attach them to this request. It appears to be clear that the certified copy was filed, received and placed in the electronic file but miss-described as a Foreign Reference and not as a priority document.

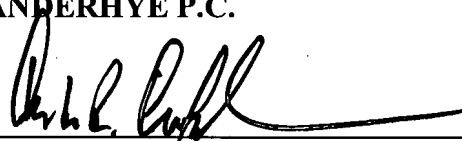
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Appl. No. 10/650,036
April 30, 2007

It is counsel's understanding that applicants have done everything necessary to complete their claim for benefit of priority. It is not acknowledged in the Notice of Allowability. A new Notice of Allowability acknowledging receipt of the priority document is requested.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: _____



Arthur R. Crawford
Reg. No. 25,327

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10/650,036 COLOR AGENT FOR ROAD MARKING MATERIAL AND ROAD MARKING MATERIAL USING THE SAME 04-30-2007::10:08:30

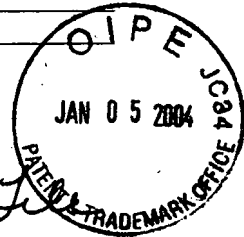
This application is officially maintained in electronic form. To View: Click the desired Document Description. To Download and Print: Check the desired document(s) and click Start Download.

Available Documents

	Document Description	Document Category	Page Count
04-25-2007	Search information including classification, databases and other search related notes	PROSECUTION	1
04-25-2007	Notice of Allowance and Fees Due (PTOL-85)	PROSECUTION	3
04-25-2007	Notice of Allowance and Fees Due (PTOL-85)	PROSECUTION	3
04-25-2007	Issue Information including classification, examiner, name, claim, renumbering, etc.	PROSECUTION	1
04-25-2007	Index of Claims	PROSECUTION	1
01-31-2007	Transmittal to TC	PROSECUTION	1
01-31-2007	Fee Worksheet (PTO-06)	PROSECUTION	1
01-31-2007	Claims	PROSECUTION	5
01-31-2007	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	3
01-31-2007	Amendment - After Non-Final Rejection	PROSECUTION	1
10-04-2006	Search information including classification, databases and other search related notes	PROSECUTION	1
10-04-2006	Non-Final Rejection	PROSECUTION	4
10-04-2006	List of References cited by applicant and considered by examiner	PRIOR ART	1
10-04-2006	Index of Claims	PROSECUTION	1
10-04-2006	Bibliographic Data Sheet	PROSECUTION	1
10-02-2006	Examiner's search strategy and results	PROSECUTION	1
07-18-2006	Response to Election / Restriction Filed	PROSECUTION	2
07-18-2006	Fee Worksheet (PTO-06)	PROSECUTION	1
06-22-2006	Requirement for Restriction/Election	PROSECUTION	4
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08-26-2005	Request for status of Application	PROSECUTION	1
01-05-2004	Preliminary Amendment	PROSECUTION	1
01-05-2004	Oath or Declaration filed	PROSECUTION	2
01-05-2004	Foreign Reference	PRIOR ART	71
01-05-2004	Claims	PROSECUTION	5
01-05-2004	Applicant Response to Pre-Exam Formalities Notice	PROSECUTION	1
01-05-2004	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	1
12-12-2003	NPL Documents	PRIOR ART	3
12-12-2003	Information Disclosure Statement (IDS) Filed	PROSECUTION	3
12-12-2003	Foreign Reference	PRIOR ART	112
12-12-2003	Foreign Reference	PRIOR ART	40
12-12-2003	Foreign Reference	PRIOR ART	64
12-12-2003	Foreign Reference	PRIOR ART	150
12-12-2003	Foreign Reference	PRIOR ART	186
12-01-2003	Pre-Exam Formalities Notice	PROSECUTION	2
08-28-2003	Transmittal of New Application	PROSECUTION	2
08-28-2003	Specification	PROSECUTION	112
08-28-2003	Claims	PROSECUTION	6
08-28-2003	Abstract	PROSECUTION	1

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Serial No.: 10/650036
Applicant: Hayashi et al
Title: Colour Agent for Road Marking Material ..
Atty: ARC
Date: 1/5/04
Client: 1411-440
Ref: 1411-440
X Amendment Phil
Pages Specification
Claims
Sheets Drawings: Formal
Informal
Declaration (2 Pages)
Assignment
Priority Document
94000 Base Issue Fee Transmittal
Fee (Check)
Other: Copy of Notice to Messing Parts



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

HAYASHI et al.

Serial No. 10/650,036

Attention: Application Branch

Atty. Dkt. 1417-440

Filed August 28, 2003

Date: January 5, 2004

For COLOUR AGENT FOR ROAD MARKING MATERIAL AND ROAD MARKING MATERIAL USING THE SAME

Mail Stop Missing Parts

Commissioner for Patents

Box 1450

Alexandria, VA 22313-1450

The attached completes filing of the above-identified patent application:

- ☒ Signed Rule 63 Declaration alone, ☐ Copy of Declaration from prior application alone, OR
☒ **NOTICE TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED** form.
☒ Record the attached assignment to Toda Kogyo Corporation, Funairi-minami 4-chome, Naka-ku, Hiroshima-shi, Hiroshima-ken, Japan, and return to the undersigned.
☐ Attached is a Power of Attorney.

☒ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number
2002-253523

Country
Japan

Day/Month/Year Filed
30 August 2002

respectively.

- ☒ Certified copy(ies) of foreign application(s) is/are attached.
☒ Please enter the attached preliminary amendment prior to calculation of filing fee.
☐ Also attached: ☐ Information Disclosure Statement; ☐ Nucleotide and/or Amino Acid Sequence Submission; ☐ Other:

Fees due are calculated below:

Basic filing fee				\$	770.00
Total Effective claims	18	- 20 =	0	x \$	18.00
Independent claims	3	- 3 =	0	x \$	86.00
If any proper multiple dependent claims now added for first time, add \$290.00 (ignore improper)					\$ 0.00
FILING FEE					\$ 770.00
Surcharge (\$130.00) if Declaration or filing fee first now submitted				\$	130.00
English translation of specification and claims (\$130.00)				\$	0.00
FIRST SUBTOTAL					\$ 900.00
If "small entity," enter half (1/2) of subtotal and subtract					-\$ 0.00
SECOND SUBTOTAL					\$ 900.00
Assignment Recording Fee (\$40.00)				\$	40.00
TOTAL FEE DUE					\$ 940.00
Check enclosed (Pre-Bill)*					\$ 920.00
Check enclosed (non Pre-Bill)*					\$ 20.00
TOTAL FEE ENCLOSED					\$ 940.00

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

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By Atty: Arthur R. Crawford, Reg. No. 25,327

Signature: _____